

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:

GMS Sunset LLC,

Debtor.

Case No. 25-11181-BFK

Chapter 11

NOTICE OF MOTION AND NOTICE OF HEARING

The United States Trustee has filed with the Court a motion to dismiss or convert case to chapter 7.

UNDER LOCAL BANKRUPTCY RULE 9013-1, UNLESS A WRITTEN RESPONSE IN OPPOSITION TO THIS MOTION AND SUPPORTING MEMORANDUM ARE FILED WITH THE CLERK OF COURT AND SERVED ON THE MOVING PARTY WITHIN 21 DAYS OF THE SERVICE OF THIS NOTICE, THE COURT MAY DEEM ANY OPPOSITION WAIVED AND TREAT THE MOTION AS CONCEDED.

A HEARING TO CONSIDER THE RELIEF REQUESTED IN THIS MOTION IS SCHEDULED FOR SEPTEMBER 30, 2025 @ 11:00 A.M. IN COURTROOM I, UNITED STATES BANKRUPTCY COURT, 200 SOUTH WASHINGTON STREET, ALEXANDRIA, VIRGINIA 22314

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before **21 days from the date of this Notice** you or your attorney must:

- File with the court, at the address shown below, a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). **Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without**

Matthew W. Cheney
Acting United States Trustee
For Region 4
1725 Duke Street, Suite 650
Jack Frankel, Attorney, VSB 15019
Alexandria, VA 22314
(703) 557-7176

further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. You must **also** mail a copy to the persons listed below.

- Attend the hearing scheduled to be held on **September 30, 2025 @ 11:00 a.m.** in Courtroom No. I, United States Bankruptcy Court, 200 South Washington Street, Alexandria, Virginia 22314. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**
- A copy of any written response must be mailed to the following persons:

United States Trustee for Region 4
1725 Duke St., Suite 650
Alexandria, VA 22314

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: September 5, 2025

Matthew W. Cheney
Acting United States Trustee, Region 4

/s/ Jack Frankel
Jack Frankel, Attorney
Va. Bar No. 15019
Office of United States Trustee
1725 Duke Street, Suite 650
Alexandria, VA 22314
(703) 557-7229
Jack.i.frankel@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2025, I electronically filed the foregoing Notice with the Clerk of the Court and transmitted a true and correct copy of said document electronically through the electronic case filing system or by first class United States mail, postage prepaid to the following:

GMS Sunset LLC
1141 Elden Street, Ste. 224
Herndon, VA 20170

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/s/ Robert W. Ours
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Paralegal Specialist